

25 **WHEREAS**, equal access to the right to vote was a cornerstone of the Civil
26 Rights Movement; as Dr. Martin Luther King, Jr., John Lewis, Amelia Boynton,
27 Ralph and Juanita Abernathy, and other Civil Rights leaders repeatedly implored,
28 “Give us the ballot,” and “Let our people vote,” because of the fundamental
29 importance of the right to vote in finally extending the full rights of citizenship to
30 Americans in marginalized communities, which includes the political power to
31 achieve representation and accountability at all levels of government; and

32 **WHEREAS**, President Lyndon Johnson signed the Voting Rights Act in 1965
33 to end practices that denied millions of Americans the equal right to vote, and
34 subjecting the state of Texas and other jurisdictions with histories of discrimination
35 to additional federal oversight, including preclearance of changes to elections laws,
36 such that all voters were promised access to the ballot without impediment or
37 dilution of effect; and

38 **WHEREAS**, President Johnson warned in 1965 that even should the Voting
39 Rights Act become law, the battle to guarantee that every American can equally
40 enjoy their constitutionally protected rights of citizenship would not be over; and

41 **WHEREAS**, the right to vote of Texans of color has been denied and abridged
42 throughout the state’s history in violation of the Fourteenth, Fifteenth, Nineteenth,
43 Twenty-Fourth and Twenty-Sixth Amendments to the United States Constitution
44 and in violation of the Voting Rights Act of 1965, through racially motivated voter
45 suppression practices such as white-only primaries, literacy tests, secret ballots, poll
46 taxes, purging voter registration rolls, de facto land ownership requirements, racially
47 discriminatory redistricting, and photo identification requirements; and

48 **WHEREAS**, the Texas Legislature passed Senate Bill 14 in 2011, requiring
49 voters to present photo identification in order to cast a ballot, an impediment to the
50 constitutionally protected rights of voters of color in particular, as Black and Latino
51 Texans were found to be significantly less likely to be in possession one of the forms
52 of photo identification required by Senate Bill 14, and thus would have been denied
53 the right to vote even after meeting all eligibility requirements to register to vote;
54 and

55 **WHEREAS**, numerous courts have ruled that Senate Bill 14 intentionally
56 discriminated and unconstitutionally disenfranchised eligible voters, as it would
57 have included no required identification option that would not cost money and time
58 to obtain, amounting to a poll tax; as such it was initially not allowed to go into effect
59 because of federal oversight guaranteed by the Voting Rights Act of 1965; and

60 **WHEREAS**, in 2013, the United States Supreme Court upheld the
61 constitutionality of Section 5 of the Voting Rights Act of 1965 in *Shelby County v.*
62 *Holder*, but struck down the formula in Section 4(b) of the Act under which changes
63 to elections laws in historically discriminatory jurisdictions were subject to federal
64 preclearance, rendering Section 5 inoperable without extensive additional federal
65 action to bail in these jurisdictions to the preclearance of Section 5, thereby
66 providing local and state governments new opportunities to evade federal oversight
67 and unconstitutionally restrict the right to vote; and

68 **WHEREAS**, within hours of the announcement of the Supreme Court's
69 ruling in *Shelby County v. Holder*, then-Attorney General of the State of Texas, Greg
70 Abbott, announced that the state would begin enforcing photo identification
71 requirements in Senate Bill 14; this decision was quickly met with lawsuits seeking
72 to prohibit implementation of the law, and in subsequent years, the State of Texas

73 ultimately spent millions of taxpayer dollars defending a law that unconstitutionally
74 restricted Texans' right to vote; and

75 **WHEREAS**, in February, 2017, the Department of Justice under the Trump
76 Administration reversed its position on the need to protect Americans from racially
77 discriminatory voting restrictions and dropped its objection to Texas' intentionally
78 discriminatory law requiring photo identification in order to cast a ballot; this
79 prompted the Texas Legislature to pass Senate Bill 5 in 2017, which minimally
80 expanded the allowed forms of photo identification in compliance with prior United
81 States District Court rulings, but also imposed a possible state jail felony penalty for
82 a voter incorrectly signing a declaration of reasonable impediment to obtaining a
83 required form of identification; and

84 **WHEREAS**, the State of Texas redraws its district maps every ten years,
85 which have repeatedly over the last several decades been found to be intentionally
86 discriminatory on the basis of race in violation of the Fourteenth Amendment to the
87 United States Constitution, often resulting in litigation lasting the entire decade until
88 the maps must again be redrawn; and

89 **WHEREAS**, in 2019, the Texas Secretary of State's Office announced that it
90 would request that county officials check the eligibility of almost 100,000 registered
91 Texas voters, claiming that these individuals may not be U.S. citizens and as such
92 may not be eligible to vote, and referred this list to the Texas Attorney General's
93 office for criminal investigation and potential prosecution, in an attempt to force a
94 purge of predominantly Latino voters from voter registration rolls; and

95 **WHEREAS**, investigative reporting and review by county officials revealed
96 that the Texas Secretary of State's list was compiled haphazardly and contained

97 numerous errors, impacting thousands of eligible voters; after legal challenges,
98 counties that had planned to remove voters from their registration rolls based on the
99 faulty list from the Texas Secretary of State ceased attempts to do so; and

100 **WHEREAS**, this debacle stands in contrast to so many efforts throughout
101 Texas' history to deny the right to vote to duly eligible Texans in that it mostly and
102 publicly failed and resulted in the resignation of the Secretary of State prior to his
103 confirmation by the Texas Senate, demonstrating that Texans can win when we fight
104 against voter suppression; and

105 **WHEREAS**, the foundational importance of the right to vote in free and fair
106 elections justifies and requires vigilant protection and active encouragement at every
107 level of government, necessitating the implementation of new action to eliminate
108 barriers to voting and encourage civic engagement in order to counter both historic
109 and contemporary barriers that are intentionally placed to discourage voting and
110 participation in American democracy; and

111 **WHEREAS**, the effects of formal barriers to voting are often an increase in
112 informal barriers as well, for example: the 2018 Texas Civic Health Index shows
113 that 1 in 5 Texans who did not vote in 2016 said they did not vote because they were
114 too busy or their work schedules conflicted with polling hours, while other Texans
115 cited transportation issues, inconvenient hours, and feeling like their vote would not
116 make a difference as reasons for not voting; and

117 **WHEREAS**, Austin voters approved revisions to City Charter in 2012 to
118 establish 10 single-member Council districts, and to hold municipal elections in
119 November rather than May; in subsequent elections, voter turnout in City of Austin
120 municipal elections has increased, on average, by as much as 400%; and

121 **WHEREAS**, in order to increase access to the ballot by eliminating confusing
122 precinct-specific voting locations and providing multiple location options so voters
123 can avoid long lines at the polls, Travis County began participating in the
124 Countywide Polling Place Program in 2012, and Williamson County began
125 participating in 2014, so that registered voters in these counties may vote at any
126 polling place open in their county during the early voting period or on election days;
127 and

128 **WHEREAS**, to remove transportation barriers to voting, the Capital Metro
129 Board of Directors voted in 2018 to provide free rides on public transit on election
130 days in November in even-numbered years; and

131 **WHEREAS**, the percentage of eligible residents registered to vote and who
132 participate in City elections is one of the metrics for the strategic outcome referred
133 to as “Government That Works for All” and is included in the Strategic Direction
134 2023, which was adopted by the Council on March 8, 2018; and

135 **WHEREAS**, to encourage practices that give voters sufficient time to vote in
136 every election, the Council passed Resolution No. 20181018-040 asking Austin
137 employers to grant their employees up to 4 hours of time off to vote during the
138 workday; and

139 **WHEREAS**, the election day in 2019 for state constitutional amendments in
140 Texas will be November 5, 2019; early voting for that election begins on October
141 21, 2019, and ends on November 1, 2019; and registered voters in Travis and
142 Williamson Counties may vote in person at any polling place in their county of
143 residence; **NOW THEREFORE**,

144 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

145 The first Tuesday following the first Monday in November of each year
146 beginning in 2020 shall be known in the City as Let Texas Vote Day to encourage
147 voting and civic engagement, and to honor the sacrifices and struggle for the right
148 to vote throughout the history of the United States and Texas to the present day.

149 **BE IT FURTHER RESOLVED:**

150 Section III.B.1.a.(1) in Chapter A. and in Chapter B. of the City of Austin
151 Personnel Policies are each amended to add an additional official holiday for City
152 employees to be named “Let Texas Vote Day,” which shall be observed on the first
153 Tuesday following the first Monday in November of each year beginning in 2020.

154 **BE IT FURTHER RESOLVED:**

155 Section III.B.1.a.(5) in Chapter A. and in Chapter B. of the City of Austin
156 Personnel Policies are each amended, effective immediately, to read:

157 **(5) Administrative Leave**

158 A Department Director may grant an employee administrative leave for a
159 purpose approved by the City Manager. Examples of administrative leave
160 include but are not limited to: blood bank donations, work hours lost on the
161 day of an on the job injury, power failure, bomb threat, reduced work day by
162 administrative directive, visits to other cities on City business, etc. A
163 maximum of four hours of administrative leave will be granted for the purpose
164 of voting in a federal, state, or local election (including regular, special, and
165 run-off elections), which may be used during an early voting period or on an
166 election day other than Let Texas Vote Day. Time off, when necessary, to vote
167 ~~in national, state, county and municipal elections shall also be considered~~

168 ~~administrative leave.~~ Time charged to administrative leave will be shown as
169 regular time worked.

170 **BE IT FURTHER RESOLVED:**

171 The City Manager is directed to notify City employees of City of Austin
172 Personnel Policies related to the Let Texas Vote Day holiday and administrative
173 leave for the purpose of voting and the intent of Let Texas Vote Day as described in
174 this Resolution in advance of the early voting period for all regular, special, and run-
175 off elections taking place in Travis and Williamson Counties.

176 **BE IT FURTHER RESOLVED:**

177 The Council encourages Austin residents and City employees to register to
178 vote and to vote in every federal, state, and local election, including regular elections,
179 special elections, and run-off elections, and on Let Texas Vote Day.

180 **BE IT FURTHER RESOLVED:**

181 Austin residents and City of Austin employees who cannot vote, who choose
182 not to vote, who have voted by mail-in ballot or during early election periods prior
183 to Let Texas Vote Day are encouraged to take action on Let Texas Vote Day in the
184 spirit of civic engagement and democratic participation by advocating for a cause
185 that is important to them, by helping their friends and neighbors get to polling places
186 to vote, by becoming Volunteer Deputy Registrars and registering new voters so
187 they will be prepared to vote in the next election, or by volunteering in their
188 community to improve and promote civic pride.

189 **BE IT FURTHER RESOLVED:**

190 The Council encourages all Austin residents and City employees to learn
191 about the importance and history of voting in Texas and the United States throughout
192 the year, and particularly on Let Texas Vote Day, and to honor the sacrifices and
193 struggle of Americans throughout history to the present day who were denied the
194 right to vote because of their race or gender, and who fought against injustices
195 committed by their own government with civil disobedience, community organizing,
196 and civic engagement.

197 **BE IT FURTHER RESOLVED:**

198 The Council directs the City Manager to include in the City’s state legislative
199 agenda support for legislative or executive action that promotes and protects voting
200 rights and access to voting, to include as applicable:

- 201 1. The establishment of Let Texas Vote Day as a state holiday;
- 202 2. Modernized voter registration, including online voter registration;
- 203 3. Mandated voter registration at all county offices and points of service;
- 204 4. Same-day or automatic voter registration;
- 205 5. Support for improved and more inclusive volunteer deputy registration
206 training and certification;
- 207 6. Expansion of the countywide polling place program;
- 208 7. Expansion of the early voting period;
- 209 8. Increased state funding for elections administration and security;
- 210 9. Increased state funding for voter education;

- 211 10. Repeal of punitive and restrictive identification requirements;
- 212 11. Restoration of voting rights and the right to stand as a candidate for
213 formerly incarcerated individuals;
- 214 12. Civics education and voter registration information in jails and for
215 individuals returning from incarceration upon completion of probation;
- 216 13. Mailing voter registration forms and election information to eligible
217 Texans who are not currently registered to vote;
- 218 14. Support for establishing polling places on college campuses;
- 219 15. Increased funding and assistance to secure voting lists and processes;
- 220 16. Designation of colleges and universities as voter registration agencies;
- 221 17. Increased and improved accommodations for voters with disabilities;
- 222 18. No-excuse absentee voting;
- 223 19. Improved and supported poll worker training and polling place standards;
- 224 20. Funding and guidance for paper-verified ballots and upgraded voting
225 machines;
- 226 21. Protection of the voting rights and access of Texans serving overseas in
227 the military;
- 228 22. Elimination of partisan and racially discriminatory redistricting;

- 229 23. Requiring county clerks to be responsible for voter registration, rather
230 than county tax assessor-collectors, as was adopted as practice when poll
231 taxes were legal;
- 232 24. Creation of a Civic Engagement Board to increase democratic
233 participation and engagement particularly among underrepresented
234 communities;
- 235 25. Enforcement of existing state law requirement for school administrators
236 to register eligible high school students to vote; and
- 237 26. Other legislation and executive actions that promote greater inclusion
238 and civic empowerment.

239 **BE IT FURTHER RESOLVED:**

240 The Council directs the City Manager to include in the City's federal
241 legislative agenda support for legislative or executive action that promotes and
242 protects voting rights and access to voting, to include as applicable:

- 243 1. The establishment of Election Day as a federal holiday;
- 244 2. Increased federal funding for elections administration and security;
- 245 3. Restoration of the Voting Rights Act to full effect;
- 246 4. Authorization of online and modernized voter registration;
- 247 5. Protection of the rights of voters with disabilities;
- 248 6. Protection of the rights of voters serving in the military;

